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8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 ,
14 VNUS MEDICAL TECHNOLOGIES, INC.,

15 v.

16 BIOLITEC, INC., DORNIER MEDTECH
17 AMERICA, INC., and NEW STAR LASERS,
18 INC. d/b/a COOLTOUCH, INC., DAVID S.
CENTANNI, and TYRELL L. SCHIEK

Case No. C08-03129-MMC

**STIPULATION TO EXTEND TIME
TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT
PURSUANT TO LOCAL RULE 6-1(a)**

1 WHEREAS, defendant New Star Lasers, Inc. d/b/a Cooltouch, Inc. ("Cooltouch")
 2 currently has until September 5, 2008, to answer or otherwise respond to the Second Amended
 3 Complaint filed August 18, 2008, by plaintiff VNUS Medical Technologies, Inc. ("VNUS") in
 4 the above-entitled action ("Second Amended Complaint");

5 WHEREAS, this is Cooltouch's first request for an extension of time to answer or
 6 otherwise respond to the Second Amended Complaint; and

7 WHEREAS, a one week extension of time to answer or otherwise respond to the Second
 8 Amended Complaint will not alter the date of any event or any deadline already fixed by Court
 9 order;

10 NOW THEREFORE, the parties, through their respective counsel of record, hereby agree
 11 pursuant to Local Rule 6-1(a) to an extension of time for Cooltouch to answer or otherwise
 12 respond to the Second Amended Complaint in the above-entitled action to September 12, 2008.

13 Dated: September 5, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

14 By: /s/ James W. Geriak
 15 James W. Geriak
 16 Allan W. Jansen
 17 Mark Stirrat
 18 Attorneys for Defendant
 19 NEW STAR LASERS, INC.
 d/b/a COOLTOUCH, INC.

20 Dated: September 5, 2008

DAVIS POLK & WARDWELL

21 By: /s/ Matthew B. Lehr
 22 Matthew B. Lehr
 23 Diem-Suong T. Nguyen
 24 Chung G. Suh
 Attorney for Plaintiff
 VNUS MEDICAL TECHNOLOGIES, INC.

25 I hereby attest that I have on file written permission to sign this stipulation from all parties
 26 whose signatures are indicated by a "conformed" signature (/s/) within this efiled document.

27 /s/ James W. Geriak
 28 James W. Geriak

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on September 5, 2008, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send electronic notification of such filing to the following individuals:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 5, 2008, at Irvine, California

/s/ James W. Geriak

James W. Geriak